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EXAMINER

LAMBRECHT, CHRISTOPHER M

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 01/30/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/800,527

Applicant(s)

FLICKNER ET AL.

Examiner

Christopher M. Lambrecht

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____ .
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 . 6) ☐ Other: .

DETAILED ACTION

Priority

1. Applicant's claim for domestic priority under 35 U.S.C. 119(e) is acknowledged. However, the provisional application upon which priority is claimed fails to provide adequate support under 35 U.S.C. 112 for claims 4, 7, and 11 of this application.

The provisional application upon which priority is claimed (60/195227, filed on 6/4/2000) fails to provide adequate support for the "DOCSIS compatible decoder" of claim 4, and the "continuous status polling by a CATV head end" of claims 7 and 11.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 18 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The current invention is a system and corresponding method for signal processing comprising a diplexer for separating a received signal from a return signal, a splitter for splitting said received communications signal into first and second signals that substantially replicate said received

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communications signal, and then providing said first and second replicated signals to first and second tuners respectively. See figures 4 & 6.

The disclosure fails to enable one of ordinary skill in the art how to make or use a method for signal processing and interface in a set top box comprising the steps of receiving a signal... diplexing... and **subsequently splitting said first signal band and said second signal band to create a first replicated signal and a second replicated signal** for conveyance to respective first and second tuners as recited in claim 18. The splitter disclosed by applicant does not split first (downstream) and second (return) signal bands provided by the diplexer.

In order to advance prosecution on the merits, claim 18 is interpreted to read:

A method for signal processing and interface in a set top box comprising the steps of: receiving a signal; diplexing said signal into a first signal band and a second signal band; subsequently splitting said first signal band to create first and second replicated signals for conveyance to respective first and second tuners.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 1 & 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bestler (Bestler et al., US005638112A) in view of Datari (US006418169B1) and Matsuo (US005956075A).

With regard to claim 1, Bestler discloses in a system for decoding video signals (FIGURE, col. 2, lines 35-41) received from a first source (8, lines 55-57) and supporting continuous bi-directional communication (col. 1, lines 55-57 & 64-66) with said first source (8), apparatus providing a signal interface for conditioning signals communicated between said system and said first source (8), comprising: a diplexer (10, col. 1, lines 55-58) coupled to a first source and operable to separate a received communication signal from a return communication signal based on different frequency bands of said received communication signal and said return communication signal; and a signal splitting device (RF splitter 12) coupled to said diplexer and operable to split said separated received communication signal to provide (col. 1, lines 55-58) first and second signals that substantially replicate said separated received communications signal. Bestler does not disclose a terminal operable to receive a communication signal from said first source and for outputting a return communication signal to said first source, and first and second tuners coupled to receive said first and second replicated signals from said splitting device and operable to tune to receive data being conveyed by said first and second replicated signals respectively.

Matsuo discloses a terminal (system connection terminal 2, fig. 1, col. 4, lines 36-43) operable to receive a communication signal from said first source and for outputting a return communication signal to said first source, for the advantage of permitting bi-directional communication along a single transmission medium.

Datari discloses first and second tuners (data tuner 65 & broadcast tuner 30, fig. 1) coupled to receive first and second signals from a splitting device (splitter/combiner 25), for the advantage of deriving data from first and second carrier signals simultaneously.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bestler to include a terminal operable to receive a communication signal and output a return communication signal, as taught by Matsuo, for the advantage of permitting bi-directional communication along a single transmission medium.

Additionally, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bestler and Matsuo to include first and second tuners for the advantage of deriving data from first and second carrier signals simultaneously.

With regard to claim 2, Bestler, Matsuo, and Datari together disclose the claimed subject matter. In particular, Bestler discloses a processor (18) coupled to said diplexer (10) and operable to generate said return communication signal (col. 1, line 66-col. 2, line 2); and wherein said return communication signal is provided to said diplexer via a path bypassing said splitting device (via upstream encoder/modulator 16, see FIGURE).

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bestler, Matsuo, and Datari as applied to claim 1 above, and further in view of Moore (Moore, Jr. et al., US20020021465A1).

With regard to claim 3, Datari discloses said first tuner (65) comprises a data (Internet protocol) signal and tunes to receive said first replicated signal (col. 3, lines 50-52); and said second tuner (30) comprises an MPEG compatible signal, and tunes to receive said second replicated signal (col. 3, lines 47-50). Bestler, Matsuo, and Datari together do not disclose said first tuner comprises a DOCSIS compatible signal.

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Moore discloses a tuner (46) comprising a DOCSIS compatible signal (pg. 2, ¶27, lines 1-3), for the advantage of allowing a user to communicate with a central facility using a standard communications protocol.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bestler, Matsuo, and Datari to include a tuner comprising a DOCSIS compatible signal, as taught by Moore, for the advantage of allowing a user to communicate with a central facility using a standard communications protocol.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bestler, Matsuo, and Datari as applied to claim 1 above, and further in view of Azenkot (Azenkot et al., US 20020154620A1).

With regard to claim 4, Datari discloses an MPEG compatible decoder (50). Bestler, Matsuo, and Datari together do not disclose a DOCSIS compatible decoder operable to decode said first replicated signal.

Azenkot discloses a DOCSIS compatible decoder (137) for the advantage of decoding differentially encoded ATDMA bursts (pg. 30, ¶429).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bestler, Matsuo, and Datari to include a DOCSIS compatible decoder, as taught by Azenkot, for the advantage of decoding differentially encoded ATDMA bursts.

8. Claims 5 & 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bestler, Matsuo, and Datari as applied to claim 1 above, and further in view of Sirazi (US4527194A).

With regard to claim 5, Bestler discloses said system for decoding video signals (FIGURE, col. 2, lines 35-41) received from a first source (8, lines 55-57) and supporting continuous bi-directional communication (col. 1, lines 55-57 & 64-66) with said first source (8), said system including apparatus providing a signal interface for conditioning signals communicated between said system and said first source (8) including: a splitting device (RF splitter, 12) operable to split said separated received communication signal to provide first and second signals that substantially replicate said separated received communications signal. In addition, Datari discloses first and second tuners (data tuner 65 & broadcast tuner 30, fig. 1) coupled to receive first and second signals from a splitting device (splitter/combiner 25). Bestler, Matsuo, and Datari together do not disclose said system decodes a video signal received from a second source and an apparatus providing a signal interface operable to condition a signal received from said second source including: a switch coupled to said splitting device (said splitting device providing communications signal from said first source) and said second tuner, said switch in a first position providing coupling of said second replicated signal to said second tuner, and in a second position providing isolation of said second replicated signal from said second tuner and providing coupling of said video signal received from said second source to said second tuner.

Sirazi discloses a system for decoding video signals (decoder 16) from a first (Cable A) and second (Cable B) sources and a switch (12) coupling a first source (Cable A) and a second source (Cable B) to a tuner (14), said switch in a first position providing coupling of said first source (Cable A) to said tuner (14), said switch in a second position providing isolation of said first source (Cable A) from said tuner (14) and providing coupling of said second source (Cable B) to said tuner (14), for the advantage of permitting tuning of communication signals from a plurality of sources (col. 3, lines 4-5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bestler, Matsuo, and Datari to include a decoding video signals from first and second sources and a switch for coupling said second tuner to one of a first source and a second source, as

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taught by Sirazi, for the advantage of permitting tuning of communications signals from a plurality of sources.

With regard to claim 6, Bestler, Matsuo, Datari, and Sirazi disclose the claimed subject matter. In particular, the first source remains coupled to the first tuner (65) disclosed by Datari because the switch only affects the signal provided to the second tuner.

9. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bestler, Matsuo, Datari, and Sirazi as applied to claim 6 above, and further in view of Burroughs (Burroughs et al., US 20020144284A1) and Hendricks (Hendricks et al., US006408437B1).

With regard to claim 7, Bestler, Matsuo, Datari, and Sirazi fail to disclose said first tuner comprises a tuner for a DOCSIS compatible cable modem supporting continuous status polling by a CATV head end of a status of said cable modem.

Burroughs discloses a tuner (tuner: pg. 3, ¶32, lines 12-13) for a DOCSIS compatible cable modem (pg. 3, ¶24, lines 1-4), for the advantage of increasing compatibility by using a standardized communication protocol.

Hendricks discloses continuous (scheduled basis, as opposed to as-needed basis, col. 14, lines 12-18) status polling by a CATV head end of a status of said cable modem (col. 14, lines 12-18), for the advantage of tracking programs that have been selected for viewing (col. 14, lines 1-5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bestler, Matsuo, Datari, and Sirazi to include a tuner for a DOCSIS compatible cable modem, as taught by Burroughs, for the advantage of increasing compatibility by using a standardized communication protocol.

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Additionally, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bestler, Matsuo, Datari, Sirazi, and Burroughs to include continuous status polling by a CATV head end of a status of said cable modem, as taught by Hendricks, for the advantage of tracking programs that have been selected for viewing.

10. Claims 8, 9 & 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bestler in view of Datari, Sirazi and Applicants conceded prior art in figure 5.

With regard to claim 8, Bestler discloses in a system for decoding video signals (FIGURE, col. 2, lines 35-41) received from a first source (8, lines 55-57) and supporting continuous bi-directional communication (col. 1, lines 55-57 & 64-66) with said first source (8), apparatus providing a signal interface for conditioning signals communicated between said system and said first source (8), comprising: a signal splitting device (RF splitter 12) operable to split a signal derived from a signal received by said first source (col. 1, lines 55-58) first and second signals that substantially replicate said signal derived from said signal received by said first source. Bestler does not disclose first and second terminals operable to receive signals from said first and second sources respectively; first and second tuners coupled to receive said first and second replicated signals from said splitting device and operable to tune to receive data being conveyed in said first and second replicated signals respectively; and a switch coupled to said splitting device and said second tuner, said switch in a first position providing coupling of said second replicated signal to said second tuner, and in a second position providing isolation of said second replicated signal from said second tuner and providing coupling of said video signal received from said second source to said second tuner.

Sirazi discloses a system for decoding video signals from a first (Cable A) and second (Cable B) sources and a switch (12) coupling said first source (Cable A) and said second source (Cable B) to a tuner

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(14), said switch in a first position providing coupling of said first source (Cable A) to said tuner (14), said switch in a second position providing isolation of said first source (Cable A) from said tuner (14) and providing coupling of said second source (Cable B) to said tuner (14), for the advantage of permitting tuning of communication signals from a plurality of sources (col. 3, lines 4-5).

Datari discloses first and second tuners (data tuner 65 & broadcast tuner 30, fig. 1) coupled to receive first and second signals from a splitting device (splitter/combiner 25), for the advantage of deriving data from first and second carrier signals simultaneously.

Applicant's conceded prior art (illustrated in figure 5 and described in the specification at page 8, line 37 - page 9, line 6) provides first and second terminals (80, 82) operable to receive signals from first and second sources respectively. These terminals are widely used in audio and video receiving devices.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bestler to include decoding video signals from first and second sources and a switch for coupling said second tuner to one of a first source and a second source, as taught by Sirazi, for the advantage of permitting tuning of communications signals from a plurality of sources.

Additionally, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bestler and Sirazi to include first and second tuners, as taught by Datari, for the advantage of deriving data from first and second carrier signals concurrently.

Furthermore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bestler, Sirazi, and Datari to include first and second terminals, as taught by Applicant's conceded prior art at figure 5, for the typical advantage of receiving signals from two sources.

With regard to claim 9, Bestler, Datari, Sirazi, and Applicant's conceded prior art disclose the claimed subject matter. In particular, Bestler discloses a diplexer (10, col. 1, lines 55-58) coupled to said

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first terminal (8) and said splitting device (12), and operable to separate a received communication signal from a return communication signal based on different frequency bands of said received communication signal and said return communication signal.

With regard to claim 10, Bestler, Datari, Sirazi, and Applicant's conceded prior art disclose the claimed subject matter. In particular, the first source remains coupled to the first tuner (65) discloses by Datari because the switch only affects the signal provided to the second tuner.

11. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bestler, Datari, Sirazi, and Applicant's conceded prior art as applied to claim 8 above, and further in view of Burroughs (Burroughs et al., US20020144284A1) and Hendricks (Hendricks et al., US006408437B1).

With regard to claim 11, Bestler, Datari, Sirazi, and Applicants conceded prior art fail to disclose said first tuner comprises a tuner for a DOCSIS compatible cable modem supporting continuous status polling by a CATV head end of a status of said cable modem.

Burroughs discloses a tuner (tuner: pg. 3, ¶32, lines 12-13) for a DOCSIS compatible cable modem (pg. 3, ¶24, lines 1-4), for the advantage of increasing compatibility by using a standardized communication protocol.

Hendricks discloses continuous (scheduled basis, as opposed to as-needed basis, col. 14, lines 12-18) status polling by a CATV head end of a status of said cable modem (col. 14, lines 12-18), for the advantage of tracking programs that have been selected for viewing (col. 14, lines 1-5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bestler, Datari, Sirazi, and Applicant's conceded prior art to include a tuner for a

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DOCSIS compatible cable modem, as taught by Burroughs, for the advantage of increasing compatibility by using a standardized communication protocol.

Additionally, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bestler, Datari, Sirazi, Applicant's conceded prior art, and Burroughs to include continuous status polling by a CATV head end of a status of said cable modem, as taught by Hendricks, for the advantage of tracking programs that have been selected for viewing.

12. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bestler, Datari, Sirazi, and Applicant's conceded prior art as applied to claim 8 above, and further in view of Kar (Kar, Prodan, and Chelehmah).

Bestler, Matsuo, Datari, and Sirazi fail to disclose said second tuner comprises an OpenCable® compatible tuner.

Kar discloses an OpenCable compatible set-top terminal comprising an OpenCable compatible tuner (Tuner, Fig. 1), for the advantage of providing support for digital SDTV and HDTV over cable.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bestler, Matsuo, Datari, and Sirazi to include said second tuner comprises an OpenCable compatible tuner, as taught by Kar, for the advantage of providing support for digital SDTV and HDTV over cable.

13. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bestler in view of Ko (US006486925B1) and Applicant's conceded prior art in figure 5.

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With regard to claim 13, Bestler discloses a set top box comprising: a diplexer coupled to a first source (8) and operable to separate a received communication signal from a return communication signal based on different frequency bands of said received communication signal and said return communication signal; and a signal splitter (RF splitter 12) coupled to said diplexer (10) and operable to split said separated received communication signal to provide (col. 1, lines 55-58) first and second signals that substantially replicate said separated received communications signal. Bestler does not disclose a terminal operable to receive a first signal from a first source and output a return signal to said first source, and first and second tuners coupled to receive said first and second split signals and operable to tune to data conveyed in first and second split signals, respectively.

Applicant's conceded prior art (illustrated in figure 5 and described in the specification at page 8, line 37 - page 9, line 6) provides first and second terminals (80, 82) operable to receive signals from first and second sources respectively. These terminals are widely used in audio and video receiving devices.

Ko discloses first and second tuners (61 & 51) coupled to receive first and second signals, for the advantage of deriving data from first and second carrier signals simultaneously.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bestler to include first and second terminals, as taught by Applicant's conceded prior art, for the typical advantage of receiving signals from two sources.

Additionally, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bestler and Applicant's conceded prior art to include first and second tuners, as taught by Ko, for the advantage of deriving data from first and second carrier signals simultaneously.

14. Claims 14 & 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bestler, Ko, and Applicant's conceded prior art as applied to claim 13 above, and further in view of Sirazi.

With regard to claim 14, Bestler, Ko and Applicant's conceded prior art in figure 5 together disclose a second terminal (82) operable to receive a second signal from a second source, as described in paragraph 6. Bestler, Ko and applicant's conceded prior art in figure 5 together do not disclose a switch coupled to said second terminal and between said splitter and said tuner, said switch in a first position providing only said second signal to said second tuner and in a second position providing only said second separated signal to said tuner.

Sirazi discloses a set top box for decoding video signals from a first (Cable A) and second (Cable B) sources and a switch (12) coupling a first source (Cable A) and a second source (Cable B) to a tuner (14), said switch in a first position providing coupling of said first source (Cable A) to said tuner (14), said switch in a second position providing isolation of said first source (Cable A) from said tuner (14) and proving coupling of said second source (Cable B) to said tuner (14), for the advantage of permitting tuning of communication signals from a plurality of sources (col. 3, lines 4-5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bestler, Ko and Applicant's conceded prior art to include a switch for coupling said second tuner to one of a first source and a second source, as taught by Sirazi, for the advantage of permitting tuning of communications signals from a plurality of sources.

With regard to claim 15, Bestler, Ko, Applicant's conceded prior art, and Sirazi together disclose the claimed subject matter. In particular, Ko discloses said second signal is an analog television signal and said second tuner (51) is operable to tune analog television signals (col. 4, lines 5-8).

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15. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bestler, Ko, and Applicant's conceded prior art as applied to claim 15 above, and further in view of Wugofski (Wugofski et al., US006553567B1).

With regard to claim 16, Bestler, Ko, Applicant's conceded prior art and Sirazi together fail to disclose said second tuner is operable to tune NTSC analog television channels.

Wugofski discloses a television tuner (122) operable to tune NTSC analog television channels, for the advantage of enabling the tuning of conventional analog broadcast signals (col. 3, lines 45-50).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bester, Ko, and Applicant's conceded prior art to include a tuner operable to tune NTSC analog television channels, as taught by Wugofski, for the advantage of enabling the tuning of conventional analog broadcast signals.

16. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bestler, Ko, and Applicant's conceded prior art as applied to claim 13 above, and further in view of Moore.

Bestler, Ko, and Applicant's conceded prior art together fail to disclose said first tuner comprises a DOCSIS compatible tuner.

Moore discloses a tuner (46) comprising a DOCSIS compatible tuner (pg. 2, ¶27, lines 1-3), for the advantage of allowing a user to communicate with a central facility using a standard communications protocol.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bestler, Matsuo, Datari, and Sirazi to include said first tuner comprises a

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DOCSIS compatible tuner, as taught by Moore, for the advantage of allowing a user to communicate with a central facility using a standard communications protocol.

17. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bestler in view of Datari.

With regard to claim 18, Bestler discloses a system and corresponding method for signal processing and interface in a set top box comprising: receiving a signal (lines 55-58); diplexing (Diplexer 10) said signal into a first signal band (signal delivered to RF Splitter 12) and a second signal band (signal received from Upstream Encoder/Modulator 16); subsequently splitting (RF Splitter 12) said first signal band to create first and second replicated signals for conveyance to a first tuner. Bestler does not disclose conveying said second replicated signal to a respective second tuner.

Datari discloses a system and corresponding method in a set top box comprising conveying a second replicated signal (from Splitter/Combiner 25) to a respective second tuner (Broadcast Tuner 30), for the advantage of deriving data from first and second carrier signals simultaneously.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Bestler to include conveying said second replicated signal to a respective second tuner, for the advantage of deriving data from first and second carrier signals simultaneously.

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Conclusion

18. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

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Typed or printed name of person signing this certificate:

Signature: _____

Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M. Lambrecht whose telephone number is (703) 305-8710. The examiner can normally be reached on 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the primary examiner, Christopher Grant can be reached on (703) 305-4755. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Christopher M. Lambrecht
Examiner
Art Unit 2611

CML


CHRIS GRANT
PRIMARY EXAMINER